

Environmental Protection Agency

§ 86.610-98

(4) A description of the vehicle selection method used.

(5) For each test conducted.

(i) Test vehicle description including:

(A) Configuration, engine family, and refueling family identification.

(B) Year, make, build date, and model of vehicle.

(C) Vehicle Identification Number.

(D) Miles accumulated on vehicle.

(ii) Location where mileage accumulation was conducted and description of accumulation schedule.

(iii) Test number, date initial test results, final results and final deteriorated test results for all valid and invalid exhaust emission tests, and the reason for invalidation.

(iv) A complete description of any modification, repair, preparation, maintenance and/or testing which was performed on the test vehicle and:

(A) Has not been reported pursuant to any other paragraph of this subpart; and

(B) Will not be performed on all other production vehicles.

(v) Carbon dioxide emission values for all valid and invalid exhaust emission tests.

(vi) Where a vehicle was deleted from the test sequence by authorization of the Administrator, the reason for the deletion.

(vii) Any other information the Administrator may request relevant to the determination as to whether the new motor vehicles being manufactured by the manufacturer do in fact conform with the regulations with respect to which the certificate of conformity was issued.

(6) The following statement and endorsement:

This report is submitted pursuant to sections 206 and 208 of the Clean Air Act. This Selective Enforcement Audit was conducted in complete conformance with all applicable regulations under 40 CFR part 86 and the conditions of the test order. No emission related change(s) to production processes or quality control procedures for the vehicle configuration tested have been made between receipt of this test order and conclusion of the audit. All data and information reported herein is, to the best of

the Clean Air Act and the regulations thereunder.

(Authorized Company Representative)

[59 FR 16303, Apr. 6, 1994, as amended at 62 FR 31236, June 6, 1997]

§ 86.610-98 Compliance with acceptable quality level and passing and failing criteria for Selective Enforcement Audits.

(a) The prescribed acceptable quality level is 40 percent.

(b) A failed vehicle is one whose final deteriorated test results pursuant to § 86.609-98(c) exceed at least one of the applicable emission standards associated with the test procedures pursuant to § 86.608-98(a).

(c)(1) *Pass/fail criteria.* The manufacturer shall test vehicles comprising the test sample until a pass decision is reached for all of the pollutants associated with all of the test procedures pursuant to § 86.608-98(a) or a fail decision is reached for one of these pollutants. A pass decision is reached when the cumulative number of failed vehicles, as defined in paragraph (b) of this section, for each pollutant is less than or equal to the fail decision number appropriate to the cumulative number of vehicles tested. A fail decision is reached when the cumulative number of failed vehicles for one pollutant is greater than or equal to the fail decision number appropriate to the cumulative number of vehicles tested. The pass and fail decision numbers associated with the cumulative number of vehicles tested are determined by use of the tables in appendix XI of this part appropriate for the annual projected sales as made by the manufacturer in its report submitted under § 600.207-80(a)(2) of this chapter (Automobile Fuel Economy Regulations). In the tables in appendix XI of this part, sampling plan "stage" refers to the cumulative number of vehicles tested. Once a pass decision has been made for a particular pollutant associated with a particular test procedure pursuant to § 86.608-98(a), the number of vehicles whose final deteriorated test results exceed the emission standard for that pollutant may not be considered any further for purposes of the audit.

(Company Name)

knowledge, true and accurate. I am aware of the penalties associated with violations of

(2) CST criteria only. For CST testing pursuant to subpart O, a pass or fail decision is determined according to the pass/fail criteria described in paragraph (c)(1) of this section, except that for each vehicle, the CST in its entirety is considered one pollutant.

(d) Passing or failing of an SEA audit occurs when the decision is made on the last vehicle required to make a decision under paragraph (c) of this section.

(e) The Administrator may terminate testing earlier than required in paragraph (c) of this section.

[59 FR 16304, Apr. 6, 1994]

§ 86.612-97 Suspension and revocation of certificates of conformity.

(a) The certificate of conformity is immediately suspended with respect to any vehicle failing pursuant to § 86.610(b) effective from the time that testing of that vehicle is completed.

(b)(1) *Selective Enforcement Audits.* The Administrator may suspend the certificate of conformity for a configuration that does not pass a Selective Enforcement Audit pursuant to § 86.610-98(c) based on the first test, or all tests, conducted on each vehicle. This suspension will not occur before ten days after failure to pass the audit.

(2) *California Assembly-Line Quality Audit Testing.* The Administrator may suspend the certificate of conformity for a 50-state family or configuration tested in accordance with procedures prescribed under § 86.608 that the Executive Officer has determined to be in non-compliance with one or more applicable pollutants based on the requirements specified in Chapter 1 or Chapter 2 of the California Regulatory Requirements Applicable to the National Low Emission Vehicle Program (October, 1996), if the results of vehicle testing conducted by the manufacturer do not meet the acceptable quality level criteria pursuant to § 86.610. The California Regulatory Requirements Applicable to the National Low Emission Vehicle Program (October, 1996) are incorporated by reference (see § 86.1). A vehicle that is tested by the manufacturer pursuant to California Assembly-Line Quality Audit Test Procedures, in accordance with procedures prescribed under § 86.608, and deter-

mined to be a failing vehicle will be treated as a failed vehicle described in § 86.610(b), unless the manufacturer can show that the vehicle would not be considered a failed vehicle using the test procedures specified in § 86.608. This suspension will not occur before ten days after the manufacturer receives written notification that the Administrator has determined the 50-state family or configuration exceeds one or more applicable federal standards.

(c)(1) *Selective Enforcement Audits.* If the results of vehicle testing pursuant to the requirements of this subpart indicates the vehicles of a particular configuration produced at more than one plant do not conform to the regulations with respect to which the certificate of conformity was issued, the Administrator may suspend the certificate of conformity with respect to that configuration for vehicles manufactured by the manufacturer in other plants of the manufacturer.

(2) *California Assembly-Line Quality Audit Testing.* If the Administrator determines that the results of vehicle testing pursuant to the requirements specified in Chapter 1 or Chapter 2 of the California Regulatory Requirements Applicable to the National Low Emission Vehicle Program (October, 1996) and the procedures prescribed in § 86.608 indicate the vehicles of a particular 50-state engine family or configuration produced at more than one plant do not conform to applicable federal regulations with respect to which a certificate of conformity was issued, the Administrator may suspend, pursuant to paragraph (b)(2) of this section, the certificate of conformity with respect to that engine family or configuration for vehicles manufactured in other plants of the manufacturer. The California Regulatory Requirements Applicable to the National Low Emission Vehicle Program (October, 1996) are incorporated by reference (see § 86.1).

(d) The Administrator will notify the manufacturer in writing of any suspension or revocation of a certificate of conformity in whole or in part: Except, that the certificate of conformity is immediately suspended with respect to any vehicle failing pursuant to